

Remarks

The Examiner's objections to the claims and rejections of the claims under 35 U.S.C. §112, as these rejections may be attempted to be applied to the amended claims, are respectfully traversed.

In support of this traverse, applicant has amended the claims with a view toward overcoming the Section 112 rejections. Applicant submits that the claims as amended are now clear of the objections and rejections under Section 112.

The Examiner's rejection of claims 1, 3, 9, 14 and 15 under 35 U.S.C. § 102(b) for being anticipated by the Osborne US Patent No. 5,605,060, as this rejection may be attempted to be applied to the amended claims, is respectfully traversed.

While applicant agrees with the Examiner that the US-A-5 605 060 of Osborne and the US-5 823 851 of Dicker are the closest state of the art for this application, it is to be noted that these documents were also noted during the PCT procedure.

The Osborne US-A-5 605 060 shows a circular knitting garment having areas of compressive support in the middle torso region, and a greater amount of cross-stretch in the region corresponding to a wearer's breast area. The product is also a tubular fabric.

Osborne does not teach that two lamellar supporting zones (belt, ribbon) of higher compression are knitted directly into the garment as called for in claim 1 and extend crosswise over the back as called for in claim 2 and that such support tapes of variable compression strength gradually join each other as called for in claim 12.

Also, Osborne does not teach, suggest or show further additional zones as called for in amended claim 1 and that micromassage naps are included as called for in amended claim 12.

The Examiner's rejection of claims 2, 4-8, 10-13 and 16-21 under 35 U.S.C. § 103(a) for being unpatentable over the Osborne US Patent No. 5,605,060 in view of the Dicker US Patent No. 5,823,851, as this rejection may be attempted to be applied to the amended claims, is respectfully traversed.

The Dicker US-5 823 851 teaches a sport top for woman that supports the woman's breasts with a system of bands which are made of a elastic material, whereby each of the comprising plurality of elastic bands are longitudinally secured together.

The garment itself is made of a normal textile material on which the bands are stitched, the products being a normal needlework garment and not a knitted garment of an elastic material.

The Dicker garment is not a one piece product and is made as a tubular product.

Further, applicant's garment with various zones of compression knitted in belts or ribbons into the garment provides a more comfortable wearing garment.

This structure is substantially different from applicant's claimed garment in claims 1 and 14.

Further note that neither Osborne or Dicker teach a garment stucture for a lower part of the torso, namely, the buttocks, as set forth in claim 14.

New claim 22 combines the subject of claim 1 with claim 14 in a body suit.

In summary, applicant submits that the amended and new claims are distinguished over the references cited for the reasons set forth above and that an earnest endeavor has been made to place this application in condition for allowance. An early and favorable action to that end is requested.

Respectfully submitted,

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February 12, 2008

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